

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AARON RUBENSTEIN,

Plaintiff,

v.

SEARS HOLDINGS CORP.,

Nominal Defendant,

and

ROFAM INV. LLC,

JOHN R. BURCH,

PERCEVAL INVESTMENT PARTNERS, L.P.,

EVA WIEZOREK,

HEINZ WIEZOREK and CHARLOTTE WIEZOREK,

GARY ATWELL and SUSAN ATWELL

(as trustees for Susan L. Atwell Revocable Trust),

LARRY SOUZA and SHARON SOUZA

(as trustees for The Souza Family Trust),

ROBERT RUBIN

(as trustee for Robert Rubin Revocable Trust),

and JENNIFER COLL

(individually, and as trustee for Megan B. Coll Grantor Trust

and Robert J. Coll, III Grantor Trust),

Defendants.

No. 17-cv-821 (JPO)

(ECF Case)

**NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANTS HEINZ WIEZOREK AND  
CHARLOTTE WIEZOREK PURSUANT TO F.R.C.P. 41(a)(1)**

Plaintiff and his counsel hereby give notice of Plaintiff's voluntary dismissal with prejudice of Defendants Heinz Wiezorek and Charlotte Wiezorek pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Neither of these Defendants have filed an answer or a motion for summary judgment as of this time.

Dated: December 4, 2018

s/ *[Miriam Tauber*

s/ *David Lopez*

Miriam Tauber (MT-1979)  
MIRIAM TAUBER LAW PLLC  
885 Park Ave. 2A, New York NY 10075  
323.790.2881 // MiriamTuberLaw@gmail.com

David Lopez (DL-6779)  
LAW OFFICES OF DAVID LOPEZ  
PO Bx 323 / 171 Edge of Woods Rd., Southampton NY 11969  
631.283.4735 // DavidLopezEsq@aol.com

*Attorneys for Plaintiff*